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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David M. Pangrac, et al.

Group Art: Unassigned

Serial No.: 09/748,717

Examiner: Unassigned

Filed: December 22, 2000

Attorney Docket: ADVE:0011

For: A SYSTEM AND METHOD FOR
DISTRIBUTING INFORMATION
VIA A COMMUNICATION
NETWORK

Certificate Of Mailing

Pursuant to 37 C.F.R. Sec. 1.8, I hereby certify that this paper is being deposited with the United States Postal Service, as first class mail, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on April 18, 2001.

Deena Beasley
Deena Beasley

Box: Missing Parts
Commissioner for Patents
Washington, D.C. 20231

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(F) AND 1.27(c)) – SMALL BUSINESS CONCERN**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern:

Attn: Irene Williams
Advent Networks, Inc.

Address of Concern:

9600 Great Hills Trail, Suite 300E
Austin, Texas 78759

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or



temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled * by inventor *.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Name: _____
Address: _____

☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Advent Networks, Inc.

By: Irene Williams
Name: Irene Williams
Title: VP Legal / Content

Date: 2-21-01

* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)



#3

PATENT
Attorney Dkt: ADVE:0011**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below adjacent to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of subject matter (process, machine, manufacture, or composition of matter, or an improvement thereof) which is claimed and for which a patent is sought by way of the application entitled

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which (check) ☐ is attached hereto.
☐ and is amended by the Preliminary Amendment attached hereto.
☒ was filed on December 22, 2000, Application Serial No. 09/748,717
☐ and was amended on ___ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Day/Month/Year Filed	Yes	No
N/A			<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date
60/184,362	02/23/2000




I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
N/A		

I declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties including fine or imprisonment or both as set forth under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of the application or this document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom.

Full name of sole (or first joint) inventor: David M. Pangrac

Inventor's Signature: 

Date: 2-16-01

Residence: 720 Beach Road, No. 1A, Suite 80
Port Aransas, Texas 78373

Post Office Address:

Citizenship: US



PATENT
Attorney Docket No.: ADVE:0011

Full name of additional inventor(s):

Donald T. Gall

Inventor's Signature:

Date:

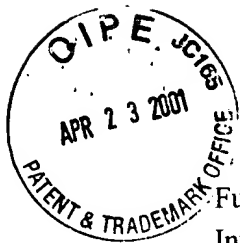
2-16-01

Residence:

1825 Palidades Drive
Port Aransas, Texas 78373

Post Office Address:

Citizenship: US



Full name of additional inventor(s): Steven W. Rose

Inventor's Signature: Steven W. Rose Date: 5 Feb 01

Residence: 866 Maikai St
Haliimaile, Hawaii
Maui County

Post Office Address: Citizenship: US

PO Box 100
Haiku, HI 96708-0100



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Deena Beasley

## POWER OF ATTORNEY BY ASSIGNEE

Box: Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned, being Assignee of record of in the above-identified application, hereby appoints the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Gary R. Stanford, Esq., Reg. No. 35,689.

Address all telephone calls to Gary R. Stanford at telephone no. (512) 474-7678

Address all correspondence to

Attn: Irene Williams  
Advent Networks, Inc.  
9600 Great Hills Trail  
Suite 300E  
Austin, TX 78759



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 2-21-01

Advent Networks, Inc.

By: Michael Williams

Title: VP Legal / Content